

In re application of: Owen Baser

Serial Number: 10/816,061

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In the Drawings

Applicant has submitted replacement sheet for original figure 26.

REMARKS

With this Amendment A, claims 1-30, 32-34 are pending; claim 31 is cancelled; and claims 1, 2, 6, 8, 15, 19, 20, 22, 29, and 32 are rewritten.

5 **Objections to the Specification**

The Examiner indicated in the January 27, 2005 Non-final Office Action that he objected to the Specification because of the following informalities: Requiring Brief Descriptions for figures 28 and 29; page 24; line 1 “adapated” should be replaced with --adapted--; and page 25; line 129-missing words and/or grammar should be corrected.

10 The Applicant thanks the Examiner for pointing out these informalities and apologizes for any inconvenience caused by these informalities. Accordingly, the Applicant respectfully points out that the following amendments have been requested above.

The Specification at Page 9; line 3 has been amended to include the following language:

15 “Figure 28 is substantially a side elevation partial cutaway view of the door handle assembly wherein the door handle is generally at rest.

Figure 29 is substantially a side elevation partial cutaway view of the door handle assembly wherein the door handle is generally depressed.”

The Specification has been amended at Page 24; line 1 to replace the misspelled word “adapated” with the correct spelling “adapted”.

20 The Specification at Page 25; paragraph 129 has been amended to read: “The components of the door handle assembly 400 may be used with any previously described door handle assemblies, or with other door assemblies now existing or later developed, that are within ~~the skill of art worker~~ the knowledge of one skilled in the art. In certain embodiments, a door handle assembly ~~is provided which contains~~ may be configured so that it has a push handle on one side

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of the door handle assembly and a corresponding pull handle on the other side of the door handle assembly."

Applicant respectfully submits that the above amendments to the Specification have properly addressed the informalities in the Specification as pointed out by the Examiner.

Objections to the Drawings

The Office indicated in the January 27, 2005 Non-final Office Action that it objected to the Drawings for the following reasons: First, in figure 26, the reference numeral “430” is
5 missing a lead line. Second, under 37 CFR §1.83(a) every feature of the invention specified in the claims must be shown in the drawings.

The Applicant, in regard to the first objection to the drawings, respectfully submits to the Office a replacement sheet for the original figure 26. Replacement sheet for figure 26 properly denotes lead lines for both reference numerals 420 and 430. The Applicant thanks the Examiner
10 for pointing out the deficiency.

The Applicant, in regard to the second objection to the drawings, respectfully submits that all claimed matter is properly presented in the drawings. The subject matter of claims 12-13, and 26-28 substantially pertain to the cam 105. Claims 14 and 25 substantially pertain to a second
15 pull door handle assembly that is placed on the opposite side of the door from the first pull door assembly. The applicant respectfully suggests that all of the elements of the claims are both described in the specification and drawings.

In particular, the Applicant wishes to point out to the Office that the Specification sets forth a statement in page 23, paragraph 123, which substantially states that the presently claimed invention 400, a pull door handle assembly, may be used with the previously described
20 components of the parent invention, the push door handle assembly 20. Specifically, the Specification sets forth that “one suitable embodiment 400, which may be used with the previously described components, is shown in figure 26.” Further, the Specification in line 129 on page 26 (as currently amended) further states that the components of the door handle assembly 400 may be used with any previously described door handle assemblies, or with other

door assemblies now existing or later developed, that are within the knowledge of one skilled in the art.

Claims 11 and 26 substantially refer to a cam assembly 105 disposed perpendicular to the bolt 70, the cam assembly 105 comprising a cam 240 attached to a cam shaft 242, the cam 240 being adapted to abut at least a portion of the bolt 70, wherein when the cam 240 is actuated, the cam 240 is adapted to lock the bolt 70 in the first position. Support for this claim is found in the Specification pages 18-19, lines 97 through 103, pages 21-22, lines 111 through 115. The drawings, current figures 2, 15, 16, 17, 18, 21, 22, and 23 illustrate the above components and their relationship to one another. In particular, figure 10 substantially shows the cam assembly 105 and its components, the cam 240, the cam shaft 242. Figure 17 substantially shows how the cam 218 is disposed perpendicular to the bolt 17 and locks the bolt 17 in the first position

Claims 12 and 27 substantially refers to a cam latch 256 attached at one end of the cam shaft 240, the cam latch 256 being adapted to allow a user to actuate the cam 105. Support for this claim is found in the Specification at page 19 at lines 101. Figures 1, 2, 15, 17, 21, 22, 23 illustrates, among other things, cam latch 256 and its ability to turn the cam 105. Figure 17 in particular, substantially establishes how the cam latch 256 is attached to one end of the cam 105 to actuate the cam 105.

Claims 13 and 28 substantially refer to an alternative cam access 244 attached to the end of the cam shaft opposite to the cam latch 256, the alternative cam access 244 being adapted to allow a user to actuate the cam 105 from the side opposite the cam latch 256. The specification at line 99 at page 18 sets forth the description of the alternative cam access 244 and how it operates. Figures 17, 18, 21 and 23 discloses, among other things, the location of the alternate cam access 244, 326; how the alternate cam access 224, 326 is key 332 operated.

Claims 14 and 25 substantially refer to a door handle assembly located on the opposite side of the door as the door handle, the door handle assembly comprising an actuator adapted to pass through an actuator opening and into the bolt. The Specification in line 129 (as currently amended) on page 25 establishes that the present invention may be used with other handle assemblies. Figures 1, 2, 17, 18, and 20 illustrates, among other things, two handle assemblies being applied to one door, with one door handle assembly being on one side of the door and the other door assembly being applied to the other side of the door, with both assemblies being capable of operating a common bolt

As demonstrated above, all of the elements referred to by claims 12-14 and 25-28 are set forth in detail in the specification as well as being amply demonstrated in the figures. Further, one skilled in the art would realize that the present invention, utilizes components fully illustrated in the figures that refer to other embodiments.

Therefore, the present figures do properly demonstrate and support each and every element of the claims. The Applicant respectfully requests that the Office reconsider and withdraws its objections to the drawings in regards to claims 12-14, and 25-28.

CLAIMS

Allowable Subject matter

The Examiner has indicated that dependent claim 24 is objected to as being dependent but would be allowable if rewritten in an independent form including all limitations of the base claim (e.g., independent claim 15) and any intervening claims. The Applicant thanks the Examiner for this indication.

Claim Objections

The Examiner indicated in the January 27, 2005 Non-final Office Action that it objected to claim 19 for the following informality: “position” should be replaced with --positioned--.

The Applicant thanks the Examiner for pointing out the informality of claim 19 and apologizes
5 for any inconvenience caused by this informality. Accordingly, the Applicant amended claim 19 to replaced “position” with “positioned”.

Claim Rejections 35 U.S.C. §112

The Office indicated in the January 27, 2005 Non-final Office Action that it rejected
10 claims 12, 13, and 26-28 as failing to comply with the enablement requirement. In particular, the Office substantially sets forth that the above-cited claims contain subject matter (e.g., the cam 105 based locking mechanism), which was not described or illustrated with respect to the elected embodiment of the invention so as to provide sufficient disclosure for one of ordinary skill in the art to make and use the claimed invention.

15 The Applicant incorporates by reference its argument presented above to the second objection to the drawings. The Applicant respectfully submits that the figures and the description of the figures that pertain to the claimed embodiment are more than sufficient for the practitioner of the art to practice the invention. The specification clearly states:

20 The components of door handle assembly 400 may be used with any previously described door handle assemblies, or with other door handle assemblies now existing or later developed, that are within the skill of the art worker. In certain embodiments, a door handle assembly is provided which contains a push handle on one
25 side and a pull handle on the other side. (See paragraph 129, prior to amendment by this Amendment A).

Since the embodiment of the claims interfaces with the bolt in substantially the same way as other embodiments described in the specification and illustrated in the drawings, someone of ordinary skill in the art would fully understand how to make and use the invention from the application. When an embodiment includes components that are common to other embodiments and the components have been fully illustrated and described in relation to other embodiments, it is not necessary for the applicant to repeat the illustration and description of the components. Someone of ordinary skill in the art understands that he or she need only refer to the “previously described” embodiment to acquire a complete understanding of all of the components.

Accordingly, Applicant respectfully requests the Office, to reconsider and withdraw its 35

10 U.S.C. §112 rejections of claims 12, 13 and 26-28.

Claim Rejections 35 U.S.C. § 102

The Office rejects claims 1, 4-11, 14, 15, 18-23, 25 and 29-34 as being anticipated by U.S. Patent No.: 3,856,414 issued to Schlage (Schlage '414). The Office cites Schlage 414 as demonstrating the elements of the first independent claim 1: a door handle 46, a roller 41, a mount 17, an actuator 27 first surface portion of 28 near 41, an actuator projection-portion including 33, 34 (as shown in figure 3), and a bolt 11. Similarly, the Office also cites Schlage '414 as demonstrating the elements of the second independent claim 15 in the similar manner.

The Office also cites Schlage '414 as anticipating the third and final independent claim 28. The

20 Office finally cites Schlage '414 as rendering claims 2, 3, 16 and 17 as being obvious under 35 U.S.C. 103(a). The Applicant has amended independent claims 1, 15 and 29. In independent claims 1 and 15, the claims have been amended to read “an actuator, the actuator attached to the mount by a fastener, the actuator having a first surface and an actuator projection, the actuator

being configured to rotate around the fastener”. Claim 29 has been amended to include fastener means for rotatably attaching the actuator means to the mounting means.

As is self-evident from the figures 26, 27, 28, 29, and as substantially set forth in the specification at lines 123 through 127, in pages 23-24, the present invention comprises an actuator 430, which has two ends, a projection 470 and a mounted end. The mounted end is moveably attached to a mount 416 by a fastener (e.g., pin 436). In this manner, when the actuator 430 moves, it rotates (e.g., pivots) the projection 470 about the fastener (e.g., pin 436). This action generally causes the projection 470 to substantially engage a portion of the interior of the bolt 476 to move the bolt 476.

Schlage `414 does not teach, disclose, or suggest many of the elements of the claims. Schlage does not disclose a mount that is attached to both a door handle and an actuator. Furthermore, the alleged actuator of Schlage (e.g., spindle 28) is not rotatably attached to a mount by a fastener.

Therefore, the current claims are patentable over Schlage. Reconsideration is respectfully requested.

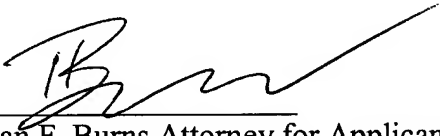
CONCLUSION

For all of the above reasons, the Applicant submits that the present application is in condition for allowance. If the Examiner has any questions regarding this Amendment A or this application, the Examiner is encouraged to call the Applicant's attorney, Ian F. Burns, at (775)

5 826-6160.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'IB' followed by a stylized flourish.

Ian F. Burns Attorney for Applicant.
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